

Practitioner's Docket No. 2507/101

3 12-10-01 3 SECTOP\$ PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: O'Neill, Michael J.  
Application No.: 09/922,555, Group No.:  
Filed: August 3, 2001 Examiner:  
For: Bone Harvesting Method and Apparatus

Box Missing Part  
Commissioner for Patents  
Washington, D.C. 20231

COMPLETION OF FILING REQUIREMENTS  
-- NONPROVISIONAL APPLICATION

I. This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed October 4, 2001.

A copy of the Notice to File Missing Parts of Application--Filing Date Granted (Form PTO-1533) is enclosed.

ASSIGNEE'S STATEMENT

- II. Enclosed are the following documents:
- a. Reissue Application by Assignee, Offer to Surrender; and
  - b. Assent by Assignee for Filing of Reissue Application.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. SECTION 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

[x ] deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

FACSIMILE

[ ] transmitted by facsimile to the Patent and Trademark Office at (703) \_\_\_\_ - \_\_\_\_.

Date: 11/13/01

Signature

Keith J. Wood  
(type or print name of person certifying)



### SMALL ENTITY STATUS

**III.** This filing is by a small entity.

### COMPLETION FEES

#### **IV.**

**1. Surcharge Fees**

Assignee's statement (37 C.F.R. 3.73(b))	\$65.00
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Total Completion Fees	\$65.00
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### EXTENSION OF TIME

**V.** The proceedings herein are for a patent application, and the provisions of 37 C.F.R. Section 1.136(a) apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

### TOTAL FEE DUE

**VI.** The total fee due is:

Completion fees	\$65.00
Extension fee (if any)	\$0.00
Total Fee Due	\$65.00

### PAYMENT OF FEES

**VII.** Enclosed is a check in the amount of 65.00.

Please charge Account No. 19-4972 for any fees that may be due by this paper.

### AUTHORIZATION TO CHARGE ADDITIONAL FEES

(Completion of Filing Requirements--Nonprovisional Application--page 2 of 3)

**VIII.** The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper and during the pendency of this application to Account No. 19-4972.

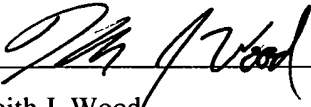
37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

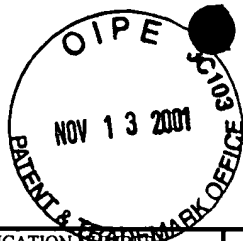
37 C.F.R. Section 1.16(b), (c) and (d) (presentation of extra claims) 37 C.F.R. Section 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to Section 1.136(a))

37 C.F.R. Section 1.17 (application processing fees)

Date: 11/13/01

  
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UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/922,555	08/03/2001	Michael J. O'Neill	2507/101

Bromberg & Sunstein LLP

125 Summer Street

Boston, MA 02110

Date Mailed: 10/04/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

### *Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

Correction of the following is required to complete the reissue application:

☐ The reissue specification has not been provided in double-column format as is required by 37 CFR 1.173(a)(1). **A surcharge is not required when supplying this item.**

☐ Consent of the assignee is missing. 37 CFR 1.172 requires that the reissue oath/declaration be accompanied by the written consent of all assignees. Until this item is supplied, the oath/declaration remains defective; thus, **payment of the surcharge (\$130 for large entity; \$65 for small entity) under 37 CFR 1.53(f) and 37 CFR 1.16(e) is required in addition to the supplying of this item. See MPEP § 1410.01.**

☐ Consent of the assignee is present, but is unsigned. A statement of consent bearing the signature of an official authorized to act on behalf of the assignee(s) must be provided, to comply with 37 CFR 1.172. Until this item is supplied, the oath/declaration remains defective; thus, **payment of the surcharge (\$130 for large entity; \$65 for small entity) under 37 CFR 1.53(f) and 37 CFR 1.16(e) is required in addition to the supplying of this item. See MPEP § 1410.01.**

☐ Assignee's statement under 37 CFR 3.73(b) establishing ownership of the patent is missing. 37 CFR 1.72 requires that all assignees consenting to the reissue establish their ownership interest in the patent by filing in the reissue application a statement in accordance with 37 CFR 3.73(b). See MPEP § 324. Until this item is supplied, the oath/declaration remains defective; thus, **payment of the surcharge (\$130 for large entity; \$65 for small entity) under 37 CFR 1.53(f) and 37 CFR 1.16(e) is required in addition to the supplying of this item. See MPEP § 1410.01.**

☒ Assignee's statement under 37 CFR 3.73(b) is present, but is unsigned. A 37 CFR 3.73(b) statement bearing the signature of an official authorized to act on behalf of the assignee must be provided. Until this item is supplied, the oath/declaration remains defective; thus, **payment of the surcharge (\$130 for large entity; \$65 for small entity) under 37 CFR 1.53(f) and 37 CFR 1.16(e) is required in addition to the supplying of this item. See MPEP § 1410.01.**

A copy of this notice MUST be returned with reply.

K. Nelson

Office of Initial Patent Examination (703) 308-0910